



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

238

CWP-7436-2023(O&M)
Date of Decision: **20.04.2026**

Vivek

.....Petitioner

VERSUS

Sarva Haryana Gramin Bank and another

...Respondents

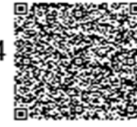
CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. Yuwan Singla, Advocate for Mr. Munish Kumar Garg,
Advocate for the petitioner.

Mr. G.S. Bajwa, Advocate for the respondents.

HARPREET SINGH BRAR, J. (Oral)

1. The present civil writ petition has been filed under Article 226 read with Article 227 of the Constitution of India for issuance of a writ in the nature of *certiorari* for quashing the letter/order dated 20.09.2022 (Annexure P-12) passed by respondent No.2 whereby the application for appointment on compassionate grounds has been declined by relying upon circular No.4/2019 dated 21.01.2019 (Annexure P-8) instead of circular No.7/2019 dated 18.02.2019 (Annexure P10). Further praying for issuance of a writ in the nature of *mandamus* directing the respondent-Bank to consider the application dated 06.12.2021 (Annexure P-11) for appointment



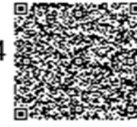
on compassionate grounds after considering the claim as per circular No.7/2019 dated 18.02.2019 (Annexure P-10) which was passed in suppression of circular no.4/2019 dated 21.01.2019 (Annexure P-8) instead of relying on circular (Annexure P-2). Further it is prayed that respondent-bank be directed to reserve one seat for the petitioner during the pendency of the present writ petition.

2. At the very outset, learned counsel for the respondents submits that during the pendency of the present writ petition, the policy governing appointment on compassionate grounds has been modified in consultation with the Ministry of Finance, Government of India. It is contended that the claim of the petitioner is liable to be considered afresh in terms of the amended policy. In support of the said submission, a copy of letter dated 14.09.2023 along with HRD Division Circular No.43/2023, pertaining to modification in the implementation of the compassionate appointment scheme, has been produced and is taken on record as Mark 'X'. The Registry is directed to tag the same at the appropriate place on the record.

3. The relevant extract of the HRD Division Circular No.43/2023 may reads as under:-

“Reg: Modification in the implementation of compassionate appointment scheme.

The scheme for compassionate appointment to a dependent family member of a deceased employee/employee retired on medical grounds due to incapacitation before reaching the age of 55 years or scheme for payment of ex-gratia lump-sum amount in lieu of appointment on compassionate grounds has



already been implemented and the detailed guidelines have been circulated vide HRDD circular no.07/2019 dated 18.02.2019 and modification vide circular no.81/2021 dated 24.09.2021.

Now, MOF vide letter No.F.No.11/19/2023-RRB dated 14.09.2023 advised to consider the eligible applicants for appointment on compassionate grounds, in terms of the paragraph 8.2 of the Scheme, in case the death of the employee had occurred within five years preceding the adopting of the scheme, subject to the other conditions laid down in the said scheme.”

4. In view of the aforesaid development, and without expressing any opinion on the merits of the case, the present writ petition is disposed of with a direction to the respondents/competent authority to consider and decide the claim of the petitioner for appointment on compassionate grounds strictly in accordance with the modified scheme (Mark ‘X’), by passing a reasoned and speaking order, within a period of eight weeks from the date of receipt of a certified copy of this order.

5. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

20.04.2026
Puneet Chawla

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No